

LAW OFFICE OF AMY JANE AGNEW, P.C.

Honorable Loretta A. Preska
Senior Justice, United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

July 16, 2025

VIA ECF

Re: Status Report – Remaining Allen I Related Cases

<u>Allah v. Dinello</u> , 23-cv-3286	<u>Alston v. Mueller</u> , 23-cv-3290
<u>Batista-Cruz v. Hammer</u> , 23-cv-3315	<u>Bernard v. Dinello</u> , 23-cv-3323
<u>Crichlow v. Dinello</u> , 23-cv-3386	<u>Diggs v. Acrish</u> , 23-cv-7149
<u>Dunbar v. Hammer</u> , 23-cv-3391	<u>Feola v. Mueller</u> , 23-cv-3393
<u>Frateschi v. Hammer</u> , 23-cv-3394	<u>Hale v. Mueller</u> , 23-cv-3396
<u>Jacks v. Mueller</u> , 23-cv-3288	<u>Jacobs v. Mueller</u> , 23-cv-3606
<u>Lindemann v. Sullivan</u> , 23-cv-6028	<u>Locenitt v. Dinello</u> , 23-cv-3399
<u>Lorandos v. Rosner</u> , 23-cv-7369	<u>Miller v. Hammer</u> , 23-cv-3462
<u>Oleman v. Hammer</u> , 23-cv-3607	<u>Perez v. Dinello</u> , 23-cv-3300
<u>Pine v. Silver</u> , 23-cv-7148	<u>Rhodes v. Silver</u> , 23-cv-9490
<u>Rivera v. Hammer</u> , 23-cv-3700	<u>Rosado v. Mueller</u> , 23-cv-3718
<u>VanGuilder v. Mueller</u> , 23-cv-3398	<u>Wilkerson v. Hammer</u> , 23-cv-3397
<u>Williams v. Dinello</u> , 23-cv-3608	<u>Windley v. Kim</u> , 23-cv-7151
	Lindemann v Sullivan-Davachi, 24-cv-6028

Dear Judge Preska:

As the Court is aware, the parties in the Allen I related cases have been plugging away at settlements and summary judgment briefing.

As an initial matter, the parties respectfully request trial dates for the following Tranche I cases for which summary judgment motions were not filed. Unfortunately, it is very difficult for counsel to progress on settlement discussions until trial dates are looming, though as we have to date, the moment we have a case

settled, we will alert the Court to remove it from the trial calendar. The trial ready cases are:

Frateschi v. Zaki, 23-cv-3394;

Jacks v. Wright, 23-cv-3288;

Jacobs v. Ashong, 23-cv-3606.

In an effort to further streamline briefing and organize it around briefing in Allen I related cases pending in the WDNY and NDNY, as well as the pending trials before this Court, the parties respectfully request some small amendments to the current deadlines and grouping of cases. To be clear, the following calendar includes all the Allen I related cases pending before this Court, except for those cases currently set for trial:

Tranche I, Group I

- 1) Allah v. Dinello, et al., 23-cv-3286;
- 2) Bernard v. Dinello, et al., 23-cv-3323;
- 3) Crichlow v. Andola, et al., 23-cv-3386;
- 4) Dunbar v. Ashong, et al., 23-cv-3391;
- 5) Williams v. Karandy, 23-cv-3608.

Opposition Papers: July 28, 2025

Reply Papers: September 10, 2025

Tranche I, Groups 2 & 3

- 1) Locenitt v. Corigliano, et al., 23-cv-3399;
- 2) Oleman v. Hammer, et al., 23-cv-3607;
- 3) Batista-Cruz v. Bentivegna, et al., 23-cv-3315;
- 4) VanGuilder v. Karandy, 23-cv-3398;
- 5) Hale v. Smith, 23-cv-3396.

Opposition Papers: August 18, 2025

Reply Papers: October 3, 2025

Tranche I, Group 4

- 1) Alston v. Acrish, et al., 23-cv-3290;
- 2) Miller v. Hammer, et al., 23-cv-3462;
- 3) Perez v. Salotti, et al., 23-cv-3300;
- 4) Rivera v. Gusman, et al., 23-cv-3700;
- 5) Rosado v. Lee, 23-cv-3718;
- 6) Wilkerson v. Bentivegna, et al., 23-cv-3397.

Opposition Papers: September 22, 2025

Reply Papers: October 20, 2025

Tranche IV, Group I

- 1) Feola v. Gusman, et al., 23-cv-3393;
- 2) Lorandos v. Rosner, et al., 23-cv-7369;
- 3) Pine v. Silver, et al., 23-cv-7148;
- 4) Windley v. Kim, et al., 23-cv-7151

Moving Papers: February 27, 2025

Opposition Papers: April 27, 2025

Reply Papers: May 15, 2025

Tranche IV, Group II

- 1) Diggs v. Acrish, 23-cv-7149;
- 2) Rhodes v. Silver, 23-cv-9490;
- 3) Lindemann v. Sullivan-Davachi, 23-cv-6028

Moving Papers: March 27, 2025

Opposition Papers: May 29, 2025

Reply Papers: June 26, 2025

As always, we thank the Court for its continuing courtesy.

Very truly yours,

/s/ *AJ Agnew*

Amy Jane Agnew, Esq.
Counsel to Plaintiffs

The above briefing schedule is

SO ORDERED

Loretta A. Preska

LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

July 17, 2025